

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Tyrone Elliott

Docket No. 5:11-CR-322-1BO

Amended Petition for Action on Conditions of Pretrial Release

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting an official report upon the conduct of defendant, Tyrone Elliott, who was placed under pretrial release supervision by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, sitting in the Court at Wilmington, NC, on the 2nd day of November, 2011, under the following conditions:

- Report to the probation office or supervising officer as directed.
- Maintain or actively seek employment.
- Obtain no passport.
- Abide by the following restrictions on personal association, place of abode, or travel: remain in the Eastern District of North Carolina and not travel outside the district without prior approval of the supervising officer.
- Refrain from possessing a firearm, destructive device, or other dangerous weapons.
- Refrain from any use of alcohol.
- Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- Submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which are required as a condition of release.
- Participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- Report as soon as possible to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- Shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, or the defendant's person and premises, including any vehicle, to determine compliance with the condition of this judgment.

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On November 15, 2011, the court was notified that the defendant had committed the offense of Driving While License Revoked on November 11, 2011, in Cumberland County, North Carolina. Additionally, the defendant signed an admission form admitting to the use of cocaine on November 10, 2011.

On November 18, 2011, a bond violation hearing was held before the Honorable William A. Webb, U.S. Magistrate Judge, in Raleigh, North Carolina. The defendant admitted to both violations and the court found that the defendant had violated the conditions of his pretrial release, and continued him on supervision with the addition of a mental health treatment condition.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant tested positive for marijuana on November 17, and 23, 2011. Additionally, the defendant tested positive for marijuana and cocaine on January 5, 2012, and signed an admission form admitting to the use of marijuana and cocaine on December 31, 2011.

On January 11, 2012, the defendant appeared before the Honorable James E. Gates, U.S. Magistrate Judge, for his initial appearance on the bond violations cited above. The defendant was ordered detained until the detention and revocation hearing, which is scheduled for January 17, 2012, at 10:00, in Raleigh, North Carolina.

PRAYING THAT THE COURT WILL ORDER that a hearing be held on January 17, 2012, to determine if the defendant's bond should be revoked.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton

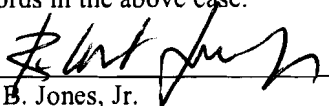
Robert L. Thornton
Supervising U.S. Probation Officer

/s/Mindy L. Threlkeld

Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: January 6, 2012

ORDER OF COURT

Considered and ordered this 11 day of January, 2012, and ordered filed and made a part of the records in the above case.


Robert B. Jones, Jr.
U.S. Magistrate Judge